

**PUBLIC HEARING AND REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BALLSTON SPA, NY** held on April 11, 2022

Present: Mayor Rossi, Trustee Kormos, Trustee Raymond, Trustee Baskin, Trustee VanDeinse-Perez, Village Clerk O'Connor, Treasurer Smith, Attorney Buettner

**1) Call to Order**

**2) Pledge to the Flag**

**3) Public Hearing – Budget**

a) Clerk's Reading of Public Hearing Notice

b) Treasurer Julia Smith's Presentation of Budget Overview (attached)

c) Comments from the Public – none

**Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond to close the public hearing at 7:06pm.**

Trustee VanDeinse-Perez-yes

Trustee Raymond-yes

Trustee Kormos-yes-

Trustee Baskin-yes

Mayor Rossi-yes

Motion Passed

**4) Approval of Prior Minutes**

a) Approval of 03.28.22 Minutes-no motion made

b) Approval of 04.04.22 (Organizational Meeting) Minutes-no motion made

**5) Mayor Announcements**

a) The Annual Fish Fry at Union Fire Co. #2 is this Friday.

b) The Village Attorney will discuss the possibility of a contract with Dish Network to rent space on our water tower.

Attorney Buettner explained that Dish Network is proposing to place a wireless tower on the John Street water tower, paying the Village \$1,000.00 per month for the first 5 years with a 3% increase every subsequent 5 years (four 5 year renewals).

Trustee Kormos asked if there were any comparisons done regarding rentals fees.

Attorney Buettner answered that is something we can talk about, she has negotiated these types of contracts before.

c) The playground at Kelley Park is now open, however the bathrooms will not be open for a couple of weeks.

d) Community Emergency Corps. is seeking approval to construct a toddler playground in Kelley Park. The project will be fully funded by the Corps. and constructed by the Rotary and Lion's Clubs. This will likely be voted on at the 4.25.22 Board meeting.

e) The Town of Milton set aside \$15,000.00 for Village projects that were not budgeted for in the past, at no cost to the Village., and will use those funds to plow and do brush pick up in colonial Hills. An intermunicipal agreement will be required.

Mayor Rossi thanked the Town of Milton, Supervisor Ostrander, Jason Miller and the entire Board for this.

f) The Lowell Street pumps have arrived and will be installed.

g) There will be a motion tonight about sending a letter to Senator Jim Tedisco regarding a “SWAP” bill to replace aging water and sewer infrastructure.

h) The Easter Egg Hunt was a tremendous success. Thank you Gina Marozzi and Mark Blech for their efforts, Curtis Lumber and Hannaford for their . There were approximately 300 people in attendance.

i) Mayor Rossi noted that he reviewed the pending PDD legislation and is concerned with how many issues have not been addressed. Before the next meeting the Mayor plans on meeting with stakeholders to determine the best course of action to get revisions done and getting the PDD passed once and for all.

j) Alternating with Coffee Planet on a weekly basis, “Coffee with the Mayor” will begin next Thursday morning at Nomad Coffee and Crepes. Information will be available on the Mayor’s official Facebook page. Community members are welcome to come and share questions, thoughts and concerns.

k) Several “Mayor’s Advisory Boards” will be created over the next months. The first 2 will be related to special events and the ethics code.

l) Regarding the Ethics Board, Mayor Rossi explained that Lloyd Helman was inadvertently not reappointed as a member of the Board of Ethics due to a clerical error in 2020. Mayor Rossi read a statement from Former Mayor Woolbright explaining what happened (attached).

## **6) Liaison Reports**

Trustee Kormos said that the Park and Tree Board is developing a planting plan under the Urban Forestry Grant.

Due to a conflict, Trustee Kormos replaced Trustee Baskin, attending an Arts Committee meeting. The Committee received notice that they are a recipient of a \$5,000.00 grant from Saratoga Arts.

Mayor Rossi asked if the committee would be presenting in May as was requested.

Trustee Kormos noted she did mention that.

Trustee Raymond and Jeff Gawrys will start reassessing the infrastructure for the water feasibility study.

Mayor Rossi noted that he is uncomfortable with the level of information revealed about users in the study.

## **7) Treasurer’s Report (attached)**

## **8) Presentation**

a) Brookside Museum-Field Horne, Acting Director (attached)

## **9) Old Business**

Trustee Kormos gave a presentation on past budgets. (attached)

Mayor Rossi noted that some of the graphs are out of context. Speaking about the fund balance, the Mayor stated you can have a lot of money, but also a lot of debt.

## **10) New Business**

**None**

## **11) Public Comment Related Only to Agenda Items for Consideration (4-Minute Limit per Speaker)**

Ray Otten of 16 Middlebrook Avenue noted all of the volunteers listed on the agenda and stated from a dollar and cents standpoint, we should be really glad we have a volunteer Fire Dept.

Fire Chief Kevin Krogh spoke on behalf of Lloyd Helman, (who along with Donna Duffy is up for reappointment to the Ethics Board) noting that Lloyd and the Assistant Chiefs are not here because they are at the scene of a bad car accident.

Chief Krogh stated that Lloyd has been a volunteer with the Fire Co. for 29 years, serving as Captain of the Fire Police for the past 12 years. The Chief also noted that Lloyd has been a member of the VFW for 25 years, the American Legion for 29 years and the VFW Firing Squad for 15 years.

Mayor Rossi thanked Chief Krogh for all the Fire Dept. does.

Bob Bush Jr., 71 Church Avenue attested to the character of both Lloyd Helman and Donna Duffy, stating they are honest and fair.

Mayor Rossi noted he meant to bring up during Mayor announcements that he wanted to thank the Steering Committee for accepting Pete Martin, Stephen Springer and Bob Bush Jr. as full members.

Christine Fitzpatrick of 31 Chapman Street spoke about the bylaws of the Code of Ethics and the Library and how appointments are made.

Attorney Buettner stated that Education Law 262 states that the Library states that it is the Board of Trustees, not the Library Board that appoints to the Library Board. The Library Board can only make recommendations.

Dick Duffy, 21 Division Street noted last week the Chair of the Ethics Board wrote a letter recommending that the current members of the Ethics Board remain; the Board works very good together.

Attorney Buettner noted that Board members are allowed to appear via Zoom as long as we are in a State of Emergency. If the State of Emergency is not extended, although the public can always participate via Zoom, Board members can only do so if members of the public are invited to join them at their location, which must be ADA compliant.

Mr. Duffy expressed concern that by not appointing people to Boards because they travel is setting a precedent.

Lisa Speidel of 106 Prospect Street wondered why Lloyd and Donna's reappointments to the Ethics Board were being questioned.

Lori Acee, 25 Eastern Avenue noted that the Library has an intern organizing historical documents.

## **12) Agenda Items for Consideration**

**a)** Motion made by Trustee VanDeinse-Perez, seconded by Trustee Raymond, to ratify the Mayor's appointment of the following officers of the Ballston Spa Fire Department: Chief – Kevin Krogh; First Assistant Chief – Michael Bashore; Second Assistant Chief – Colby Krogh; Third Assistant Chief – Bill Kenny; Secretary – Stanley De Long.

Ayes All

**b)** Motion made by Trustee Baskin, seconded by Trustee Kormos that Eagle-Matt Lee Fire Co. #1 be granted permission to hold their Annual Tag Day on 7/23/22 from 8:00am to 4:00pm.

Ayes All

**c)** Motion made by Trustee Raymond seconded by Trustee VanDeinse-Perez that John Menzie be appointed as a member of the Ballston Spa Fire Dept. and be assigned to Eagle-Matt Lee Fire Co. #1.

Ayes All

**d)** Motion made by Trustee Kormos, seconded by Trustee Baskin, that Colby Cox be appointed as a member of the Ballston Spa Fire Dept. and be assigned to Union Fire Co. #2.

Ayes All

**e)** Motion made by Trustee Raymond, seconded by Trustee VanDeinse-Perez, that Victoria VanValkenburgh be appointed as a member of the Ballston Spa Fire Dept. and be assigned to Union Fire Company #2.

Ayes All

**f)** Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos that Linnaea DiNallo (Iron Roost) be granted permission to conduct a 10th Anniversary Party in Wiswall Party in Wiswall Park on 5/15/22 from 8:00am to 3:00pm. Events include live music, crafts, and possibly a bounce house. A permit will be issued upon receipt of proof of insurance.

Ayes All

**g)** Motion made by Trustee Raymond, seconded by Trustee Baskin, that the cleaning contract with Daigle Cleaning Systems be approved upon revision. (Attached)

Ayes All

**h)** Motion made by Trustee VanDeinse-Perez, seconded by Trustee Kormos, to approve a corporate resolution allowing Mayor Frank Rossi, Jr. to be an authorized agent with respect to all transactions of the Village in and through Adirondack Trust Company.

Trustee VanDeinse-Perez-yes

Trustee Raymond-yes

Trustee Kormos-yes

Trustee Baskin-yes

Mayor Rossi-recuse

Motion Passed

**i)** Motion made by Trustee Raymond, seconded by Trustee Kormos, that Jason McCanney be appointed as part-time Police Officer for a period of one year.

Ayes All

**j)** Motion made by Trustee Raymond, seconded by Trustee VanDeinse, that the contract for Moe's Mowing in the amount of \$18,000 be approved and the Mayor be authorized to sign the contract. (Attached)

Ayes All

**k)** Motion made by Trustee VanDeinse-Perez, seconded by Trustee Baskin, to approve the Mayor to send a letter to Senator Jim Tedisco's office on behalf of the Village of Ballston Spa supporting bill S3968-A to develop a dedicated funding program to distribute funds annually to municipalities to ensure the integrity and reliance on municipal water, sewer, and storm water infrastructure.

Ayes All

**l)** Motion made by Trustee Kormos, seconded by Trustee Baskin, to request the Mayor to work with the Village Administrator to schedule department head reports or presentations at regular Board of Trustee meetings, at least once per year, and for Board of Trustee meetings without such presentations scheduled, to attempt to schedule reports or presentations from non-profit organizations that receive Village funds.

Ayes All

**m)** Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi to appoint Donna Duffy as a member of the Board of Ethics for a period of two years expiring in 2024 (Note: motion tabled on 4/4/2022).

Trustee Kormos stated that Donna and Lloyds service is appreciated but we should give opportunities to other people.

Trustee Baskin said he is concerned about Donna’s extended absence.

Trustee VanDeinse feels Donna has served our community well and she would like continuity on the Board.

Trustee Raymond said it’s not a qualification issue; this is about somebody who is not here all of the time.

Attorney Buettner reiterated that there would be no concerns about participating via Zoom if that’s the way the law ends up reading.

Mayor Rossi noted that Dick Duffy made a good point earlier; this Board does meet a lot, therefore there should not be an issue.

The Mayor feels that Donna and Lloyd deserve an apology for the way their previous appointments were characterized.

Trustee VanDeinse-Perez-yes

Trustee Raymond-no

Trustee Kormos-no

Trustee Baskin-no

Mayor Rossi-no

Mayor Rossi explained the reason he voted no is because only a person who voted on the winning side can make a motion for reconsideration later on, if necessary.

Motion Failed

**n)** Motion made by Trustee VanDeinse-Perez, seconded by Mayor Rossi, to appoint Lloyd Helman as a member of the Board of Ethics for a period of two years expiring in 2024 (Note: motion tabled on 4/4/2022).

Trustee Raymond stated he is a proponent for allowing new blood in, let’s give somebody else a shot.

Trustee Kormos agreed.

Trustee VanDeinse-Perez reminded everyone that Julie Gazetos notified this Board that she wanted to keep the current make up of the Ethic’s Board.

Trustee Baskin said he is concerned that Lloyd was not appointed properly the last time and we should not be rubber stamping.

Mayor Rossi thinks a convoluted manner is being used to disqualify this man who is very deserving of serving on the Ethics Board or any other Board.

Mayor Rossi stated he we need to change the Ethics code to more representative of the Town of Ballston or Milton’s.

Trustee Kormos agreed that we need to relook at the Ethic’s code and said there is zero requirement for any kind of education; a citizen gets on, they make judgements as to people’s ethics without any background or training.

Trustee Kormos stated she was not previously appointed to the Planning Board because of politics, noting that she had letters of recommendation from the former and current Supervisors of her previous town and had hundreds of hours of training.

Mayor Rossi stated that Former Mayor Romano did not just appoint republicans, he appointed people who he thought could do the job the best way possible. The Mayor noted Trustee Kormos had issues in New Scotland, and whether true or false, it makes it tough for people to swallow.

Mayor Rossi told Trustee Kormos that he appreciates what she gives back to the community.

Trustee VanDeinse-Perez-yes	Trustee Raymond-no	
Trustee Kormos-no	Trustee Baskin-no	Mayor Rossi-no

Mayor Rossi noted he voted no for the same reason as the previous motion.

Motion Failed

**o)** Motion made by Trustee Raymond, seconded by Trustee Kormos, to appoint Catherine Curvin as a member of the Board of Ethics for a period of two years expiring in 2024.

Ms. Curvin was not in attendance to answer any questions.

Speaking about the Revenue Advisory Board, Mayor Rossi noted that he remembers Ms. Curvin, who was a member of that Board attending only 2 or 3 of the 9 or more meetings.

Trustees Baskin and Raymond said Ms. Curvin has been very involved in the community.

The Board discussed the relevance of Ms. Curvin's involvement with Smart Growth Ballston.

Trustee VanDeinse-Perez-no	Trustee Raymond-yes	
Trustee Kormos-yes	Trustee Baskin-yes	Mayor Rossi-abstained

Motion Passed

Mayor Rossi asked about Danielle Thomson.

Trustee Raymond said he doesn't know her but has heard positive things.

Trustee Baskin said she worked on community projects, such as election campaigns for Christine.

Mayor Rossi noted he wouldn't call that a community project.

Former Mayor Fitzpatrick spoke on behalf of Ms. Thomson, stating she is a dear friend of hers that does a lot of volunteer work.

Mayor Rossi called for the politics to stop.

**p)** Motion made by Trustee Raymond, seconded by Trustee Kormos, to appoint Danielle Thomson as a member of the Board of Ethics for a period of two years expiring in 2024.

Trustee VanDeinse-Perez-no	Trustee Raymond-yes	
Trustee Kormos-yes	Trustee Baskin-yes	Mayor Rossi-yes

Motion Passed

**q)** Motion made by Trustee Kormos, seconded by Trustee Baskin, to appoint James Carter as a member of the Library Board for a period of five years expiring in 2027.

Trustee VanDeinse-Perez-yes	Trustee Raymond-yes	
Trustee Kormos-yes	Trustee Baskin-yes	Mayor Rossi-yes

Motion Passed

### 13) Other Business

None

**14) Public Comment on All Village Business (4-Minute Limit per Speaker**

Anna Stanko, 32 Kent Street asked that the parks be better maintained and also stated she feels that Trustee Kormos should have abstained from voting on the Ethics Board nominations since she had an ethics complaint against her.

Gina Marozzi of 10 Old Glory Lane thanked everyone who helped with the Easter Egg Hunt.

Several residents expressed disappointment that Lloyd and Donna were not reappointed to the Ethics Board.

Peter Martin, 20 Chesterwood Court urged the Board to work together.

Ray Otten, 16 Middlebrook Ave. spoke about sidewalk issues.

Mr. Otten agreed to be on the Mayor’s Advisory Board for Special events.

Bob Bush Jr. of 71 Church Avenue, referring to Board appointments suggested that the best person for the job be appointed.

Fire Chief Krogh is very disappointed with the results of the Ethics Board appointments.

Donna Duffy, 21 Division Street thanked those that supported her and chastised the 3 Trustees for being political.

Ms. Duffy agreed to be on the Mayor’s Advisory board on Ethics Code Revisions.

Lisa Speidel, 106 Prospect Street also chastised the Board for the Ethic’s Board appointments.

Joanne Champagne of 101 McLean Street said she is saddened and sickened by the Ethics Board appointments and said the residents have a right to know the real reasons behind it.

**15) Board Comments, Questions, and Concerns**

In response to several residents questioning whether or not the Trustees contacted Ms. Curvin and Ms. Thomson to ask them to apply to be on the Board of Ethics.

Trustee Baskin said he brought the topic up during a conversation with Ms. Curvin.

Trustee Baskin stated that Board members are not compelled to answer and all audience questions and said they will probably change the format if it becomes unmanageable.

Mayor Rossi disagreed.

In response to the question of whether or not the Trustees reached out to people to ask them to apply, Trustee Kormos said she didn’t recall.

Trustee VanDeinse-Perez thanked Donna and Lloyd for their service.

Mayor Rossi noted that suggesting that residents be restricted is discouraging a slap in the face to your residents.

**16) Executive Session (If Needed)**

There was no executive session.

**17) Adjournment/Voucher Audit:**

Motion made by Trustee Baskin, seconded by Trustee Kormos, that the Vouchers No. 22-01338 to 22-019405 be audited and the meeting adjourned at 10:14pm.

General Fund	\$ 75,309.67
Sewer Relevy	810.11

Capital Projects Funds	1,096.89
Library Fund	3,246.68
Trust & Agency	<u>986.51</u>
Total	\$ 81,449.86

Ayes All

Respectfully Submitted,

Teri L. O'Connor  
Village Clerk